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**PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION**

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TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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**FACSIMILE COVER SHEET**

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**TO: The Honorable Commissioner  
Attention: Samuel M. Heinrich  
Art Unit 1725**

**FROM: David H. Brinkman**

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**Pages (including cover page): 3**

**Re: U.S. Serial No. 09/806,410 DEPTH MEASUREMENT AND DEPTH CONTROL OR  
AUTOMATIC DEPTH CONTROL FOR A HOLLOW TO BE PRODUCED BY A LASER  
PROCESSING DEVICE  
Attorney Docket No. BEET-03**

**ATTACHMENTS/COMMENTS: OFFICIAL**  
Please deliver to Samuel M. Heinrich  
Response to Restriction Requirement Under 35 U.S.C. § 121 (2 pages)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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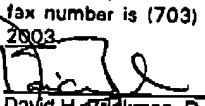
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David H. Brakman, Reg. No. 40,532

10/27/03  
Date

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kuhl et al.  
Serial No.: 09/806,410  
Filed: September 5, 2001  
Group Art Unit: 1725  
Confirmation No.: 8732  
Examiner: Heinrich, Samuel M.  
Title: **DEPTH MEASUREMENT AND DEPTH CONTROL OR  
AUTOMATIC DEPTH CONTROL FOR A HOLLOW TO BE  
PRODUCED BY A LASER PROCESSING DEVICE**  
Our Ref. No.: BEET-03

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Sir:


**RESPONSE TO RESTRICTION REQUIREMENT  
UNDER 35 U.S.C. § 121**

In response to the Restriction Requirement mailed on October 3, 2003, Applicants hereby provisionally elect the claims of Group II, namely claims 44-52, for prosecution on the merits, with traverse, and without prejudice to filing a separate divisional application directed to non-elected claims.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By   
David H. Brinkman  
Reg. No. 40,532

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